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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. 10-10088
) (Chapter 11)
INDUSTRY WEST COMMERCE CENTER,)
LLC) **INTERIM ORDER AUTHORIZING USE**
) **OF CASH COLLATERAL**
)
Debtor.)

The Motion for Use of Cash Collateral filed by Industry West Commerce Center, LLC, Debtor and Debtor-in-Possession herein (the "Debtor"), came on for interim hearing on January 29, 2010. MacConaghy & Barnier, PLC by John H. MacConaghy, Esq. appeared on behalf of the Debtor, and other appearances were made as noted in the record.

The Court having considered the Debtor's Motion, and all papers on file herein; and having heard the argument of counsel and matters presented at the time of hearing; and the Debtor having made a sufficient showing that the use of "cash collateral" is necessary to avoid immediate and irreparable harm to the Estate pending final hearing; and good cause appearing:

IT IS HEREBY ORDERED THAT:

1. This Motion is set for final hearing on February 5, 2010 at 9:00 a.m. in this Court, pursuant to prior notice served by the Debtor's counsel pursuant to Bankruptcy Rule 4001(b).

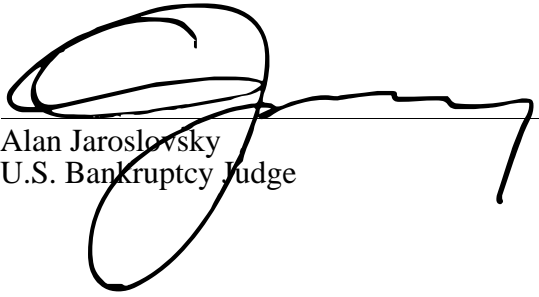
1 2. Pending Final Hearing, the Debtor is authorized to use the cash collateral of its
2 various secured lenders to pay critical expenses as set forth on the pro forma budget attached to the
3 Motion.

4 3. As adequate protection for the Debtor's use of each secured lender's cash collateral,
5 each such lender shall have and is hereby granted a Replacement Lien, effective as of the filing of the
6 petition for relief, on any and all post petition rent and other income arising out of that secured
7 lender's real property collateral. The Replacement Lien on shall have the same priority, validity, and
8 extent as the particular secured lender's lien on prepetition collateral.

9 4. The Replacement Lien granted to each such secured lender shall be perfected by
10 operation of law, *nunc pro tunc*, as of the filing of the petition for relief upon entry of this Order. No
11 secured lender shall be required to file or record any financing statements, mortgages, or other
12 documents in any jurisdiction or to take any other action in order to validate or perfect the
13 Replacement Lien granted hereunder. This Interim Order shall be deemed sufficient and conclusive
14 evidence of the security interests and liens granted hereunder.

15 5. The Debtor shall permit any secured lender to inspect its collateral on reasonable
16 notice.

17
18 Dated: February 1, 2010



Alan Jaroslovsky
U.S. Bankruptcy Judge